

Remarks/Arguments

Reconsideration of this Application is requested.

The Examiner indicated that the specification amendments of August 17, 2006, and February 22, 2006, August 6, 2001 and claim amendments of August 17, 2006, and February 22, 2006 are non compliant with 1.173 and has not been entered.

Applicant has decided not to amend the Specification. Therefore, the Specification is the same as the Specification in U.S. Patent Number 5,873,073, which this Application seeks to reissue.

Applicant has amended the claims in compliance with 37 CFR § 1.173.

The Examiner objected to the declaration, because, the error as claimed is insufficient. Applicant is not sure which declaration the Examiner is referring to.

Attached hereto as Exhibit A is a copy of a mailing that Applicant mailed to the United States Patent and Trademark Office on September 27, 2000. The first page of Exhibit A is a copy of a Post Card bearing the Patent Office date stamp indicating the documents contained in Exhibit A were received on October 2, 2000.

On Page 5 of Exhibit A is a copy of a Declaration and Power of Attorney. Near the bottom of page 5 of Exhibit A the following appears.

"We verily believe that we have claimed less than we had a right to claim in said Patent, and therefore we verily believe that the subject Patent is partly inoperative; more particularly, the claims (1-19) of said Patent recite the details of a method of defining and producing a finished mail piece in excessive detail but do not recite any limitation relating to the ability of the system for producing an unfranked mailpiece as claimed. "

Page 6 of Exhibit A indicates that inventor Mark Bresnan signed the Declaration and Power of Attorney on 9/23/2000, and inventor Je H. Oh signed the Declaration and Power of Attorney on 19 September 2000. The aforementioned Declaration which was signed by the inventors clearly recited what the inventor thought was the problem with the original patent claims.

Appln. No.: 09/628,496
Amendment Dated: March 15, 2007
Reply to Office Action dated February 2, 2007

The Examiner also stated on page 2 of the office action that "The declaration of 6/5/01 is objected to, assignee's signature is unacceptable. All declarations must be signed by all inventors is required. The declaration submitted on September 27, 2000, contains the signatures of all of the inventors.

An Affidavit of the owner of the undivided interest of this Patent Application appears on page 8 and 9 of Exhibit A. The September 23, 2000, Declaration appearing on page 5 and 6 of Exhibit A. and the Affidavit of the owner of the undivided interest of the Patent Application appearing on Page 8 and 9 of Exhibit A meet the requirements of 37 CFR § 1.172.

The Examiner has indicated that claims 1, 15, 20, and 38 are allowable.

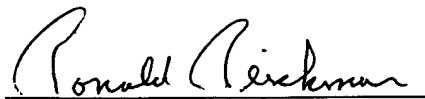
Claims 2-14 and 48 depend on claim 1 and claims 16-19 and 49 depend on claim 15. Claims 21-37 and 50 depend on claim 20 and claims 39-47 depend on claim 38. Claim 51 depends on claim 21.

Claims 22, 41 and 53 have been cancelled.

Thus claims 21-26, 23-40 and 42-52 should be allowed.

In view of the above applicant respectfully request that this application be passed to issues. If any questions should arise will the Examiner please call the undersigned at the telephone number noted below.

Respectfully submitted,



Ronald Reichman
Reg. No. 26,796
Attorney of Record
Telephone (203) 924-3854

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000

Exhibit A

Honorable Commissioner of Patents & Trademarks
Washington, D.C. 20231

F-192
PAL/asa
9/27/00

RECEIVED
PITNEY BOWES

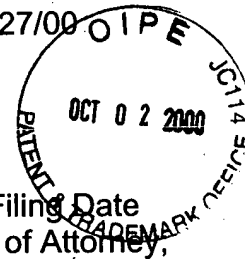
Sir:

Kindly acknowledge receipt of the following:

OCT 10 2000

**INTELLECTUAL PROPERTY &
TECHNOLOGY LAW DEPT**

Response to Notice to File Missing Parts of application Filing Date
Granted, plus one copy; Original Declaration and Power of Attorney,
(Part-2 Notice to File Missing Parts of Reissue Application; Re-
Submission of Affidavit with attachments to Affidavit in Patent
Application Titled: METHOD AND SYSTEM FOR MAIL PIECE
PRODUCTION UTILIZING A DATA CENTER AND INTER-RELATED
COMMUNICATION NETWORKS, Inventor: Mark Bresnan et al.
S.N.: 09/628,496, Filed: July 28, 2000



by placing your receiving date stamp hereon and mailing.
Thank you

19233 - MAY 96

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Mark Bresnan et al.) Attorney Docket No.: F-192

Serial No.: 09/628,496) Group Art Unit: TBD

Filed: July 28, 2000) Date: September 27, 2000

For: METHOD AND SYSTEM FOR MAIL PIECE PRODUCTION
UTILIZING A DATA CENTER AND INTER-RELATED
COMMUNICATION NETWORKS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231


Sir:

In response to the Notice to File Missing Parts of Reissue Application mailed September 1, 2000 (copy attached as required), enclosed is a Declaration and Power of Attorney; a re-submission of the Affidavit [Assignee's Statement under 37 CFR 3.73(b)] for the above-identified reissue patent application.

Please charge the \$130.00 fee to our Deposit Account No. 16-1885. A duplicate copy of this response is enclosed for use in charging the Deposit Account.

Please charge any additional fee or credit any overpayment to our Deposit Account 16-1885.

Respectfully submitted,


Paul A. Levitsky
Reg. No. 46,449
Attorney of Record
Telephone (203) 924-3845

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000

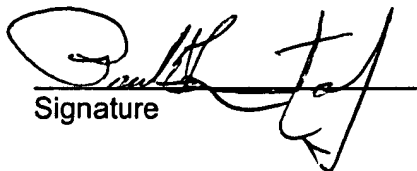
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

On September 27, 2000
Date of Deposit

Paul A. Levitsky
Name of Registered Rep.
Reg. No. 46,449


Signature

September 27, 2000
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/628,496	07/28/2000	Mark Bresnan	F-192

Paul A Levitsky
Pitney Bowes Inc
Intellectual Property & Technology Law Department
35 Waterview Drive P O Box 3000
Shelton, CT 06484

FORMALITIES LETTER



OC000000005369996

Date Mailed: 09/01/2000

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).
- The balance due by applicant is \$130.00

*A copy of this notice **MUST** be returned with the reply.*

D. King

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

DECLARATION AND POWER OF ATTORNEY
Reissue Patent Application

Attorney's Docket Number
F-192

Page 1 of 3

As below named inventors, we hereby declare that:

our residences, post office addresses and citizenships are as stated below next to our names;

we are the patentees of United States Patent No., 5,873,073

we have reviewed and understand the contents of the above-identified specification, including the claims;

we verily believe that we are the original, first and joint inventors of the invention entitled

METHOD AND SYSTEM FOR MAIL PIECE PRODUCTION UTILIZING A DATA CENTER AND INTER-RELATED COMMUNICATION NETWORKS

described in said Patent and described and claimed in the attached specification; for which invention a reissue patent is hereby solicited in accordance with the provisions of Title 37, Code of Federal Regulations, Section 1.171 – 1.179. Said reissue patent application was filed on July 28, 2000, and assigned the serial number 09/628,496 in the United States Patent And Trademark Office;

we will surrender said Patent upon notice of allowability of the subject application;

we have reviewed and understand the contents of the above-identified application, including the claims;

we acknowledge our duty to disclose information of which we are aware which is material to examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a);

we do not know and do not believe the invention was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application for said Patent, that the invention was not in public use or on sale in the United States of America more than one year prior to this application for said Patent, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of the application of said Patent in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application of said Patent, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application for said Patent by us or our legal representatives or assigns;

we verily believe that we have claimed less than we had a right to claim in said Patent, and therefore we verily believe that the subject Patent is partly inoperative;

more particularly, the claims (1-19) of said Patent recite the details of a method of defining and producing a finished mail piece in excessive detail but do not recite any limitation relating to the ability of the system for producing an unfranked mailpiece as claimed.

We believe that all errors being corrected in the reissue application up to the time of filing of the oath or declaration under this paragraph arose without any deceptive intention on our part;

We hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith;

Michael E. Melton
Charles R. Malandra, Jr.
Paul A. Levitsky

Reg. No. 32,276
Reg. No. 31,038
Reg. No. 46,449


DECLARATION AND POWER OF ATTORNEY Reissue Patent Application	Attorney's Docket Number F-192
	Page 2 of 3

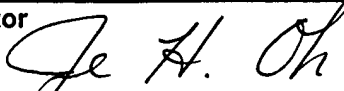
Address all telephone calls to: Paul A. Levitsky
at telephone No.: (203) .924-3845

Address all correspondence to:

Paul A. Levitsky
Pitney Bowes Inc.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name	Last Bresnan	First Mark	Middle
Residence & Citizenship	City Newtown	State CT	Citizenship USA
Post Office Address	Street Address 50 Brushy Hill Road	City Newtown	State CT Zip Code 06470
Signature of Inventor 			Date 9/23/2000

FULL NAME	Last Oh	First Je	Middle H.
Residence & Citizenship	City Princeton	State NJ	Citizenship USA
Post Office Address	Street Address 126 South Barrow Place	City Princeton	State NJ Zip Code 08540
Signature of Inventor 			Date 19 Sept. 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Mark Bresnan et al.

) Attorney Docket No.: F-192

Serial No.: 09/628,496

) Group Art Unit: TBD

Filed: July 28, 2000

) Date: September 27, 2000

For: METHOD AND SYSTEM FOR MAIL PIECE PRODUCTION UTILIZING A DATA
CENTER AND INTER-RELATED COMMUNICATION NETWORKS

**RE-SUBMISSION OF AFFIDAVIT [ASSIGNEE'S STATEMENT
UNDER 37 CFR 3.73(b)]**

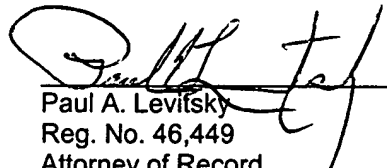
Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the Notice to File Missing Parts of Reissue Application mailed September 1, 2000, a request was made for the filing of the "Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent".

Please note that Assignee filed an Affidavit verifying ownership of the subject Patent at the time of the filing of the Reissue Application on July 28, 2000. A copy of said Affidavit is attached for your reference.

Respectfully submitted,


Paul A. Levitsky
Reg. No. 46,449
Attorney of Record
Telephone (203) 924-3845

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
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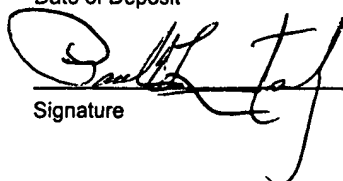
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

On September 27, 2000
Date of Deposit

Paul A. Levitsky
Name of Representative
Reg. No. 46,449


Signature

September 27, 2000
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Re-Issue Patent Application of:) Attorney Docket No.: F-192
Mark Bresnan et al.) Group Art Unit: TBD
Patent No. 5,873,073) Examiner:
Serial No. 08/772,787
Issued: February 16, 1999) Date: July 28, 2000
Title: METHOD AND SYSTEM FOR MAIL PIECE PRODUCTION UTILIZING A DATA
CENTER AND INTER-RELATED COMMUNICATION NETWORKS

AFFIDAVIT

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

UNITED STATES OF AMERICA

STATE OF CONNECTICUT

COUNTY OF FAIRFIELD

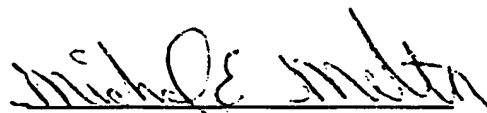
SS: Shelton, July 28, 2000

I, the undersigned, being duly sworn, do depose and say that:

- a. I am over the age of twenty-one years;
- b. I believe in the obligation of an oath;
- c. I am currently the Deputy General Counsel, Intellectual Property and Technology Law Department of Pitney Bowes Inc. and, I am authorized to act on behalf of Assignee;
- d. Pitney Bowes Inc. is the owner of an undivided interest in United States Patent No. 5,873,073, as evidenced by that certain Assignment executed by the Inventors and recorded in the United States Patent and Trademark Office on December 24, 1996. A copy of said Recordation of Assignment and a copy of the United

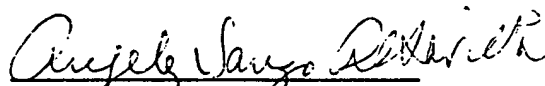
States Patent and Trademark Office Notice of Recordation of
Assignment Document are attached hereto and made a part hereof;

- e. Pitney Bowes Inc. hereby consents to the filing of an Application for
Reissuance of United States Patent No. 5,873,073.



Michael E. Melton
Reg. #32,276

Subscribed and sworn to before me, this 28th day of July, 2000.



Angela Sanzo Altavilla
Notary Public
My Comm. Exp. 7/31/01